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P79/SB/21 (08-00)

Approved for use through 10/31/2002 - OMB 0851-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/656,763	
	Filing Date	September 7, 2000	
	First Named Inventor	Lin Wu	
	Group Art Unit	2816	
	Examiner Name	H. Nguyen	
Total Number of Pages in This Submission	~	Attorney Docket Number	I9000.0045/P045

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition to Withdraw Holding of Abandonment Based on Failure to Receive Office Action	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual Name	DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP Eric Oliver
Signature	
Date	August 5, 2002



#9
Docket No.: I9000.0045/P045
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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TECHNOLOGY CENTER 2800

In re Patent Application of:
Lin Wu, et al.

Application No.: 09/656,763

Group Art Unit: 2816

Filed: September 7, 2000

Examiner: H. Nguyen

For: APPARATUS FOR AND METHOD OF
IMPLEMENTING TIME-INTERLEAVED
ARCHITECTURE

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION**

Attn: Office of Petitions
Commissioner for Patents
Washington, DC 20231

RECEIVED

AUG 21 2002

Dear Sir:

TECHNOLOGY CENTER 2800
SPECIAL PROCESSING CENTER

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

Applicant hereby petitions the Commissioner for withdrawal of the holding of abandonment based on failure to receive Office Action.

The Notice of Abandonment dated July 2, 2002 (Paper No. 8) indicates that an office correspondence was mailed on November 7, 2001. Applicants' representative, however, did not receive the original office correspondence. Applicants' representative has diligently searched its file jacket and representative's docket records indicate that the office correspondence was not received. As Applicants' representative has experienced a variety of

problems (e.g., delays, damage, non-receipt, etc.) in the United States Postal Service delivery of mail during that notable period, it is apparent that the original office correspondence was lost in the mail.

Applicants respectfully submit that the abandonment of this application falls within the criteria set forth in the memorandum dated February 15, 2002 issued by Stephen G. Kunin, Deputy Commissioner for Patent Examination Policy, entitled "Resetting Period for Reply and Remailing Office Communications when Outgoing Office Mail is Delayed." In accordance with this memorandum, Applicants have provided the foregoing statement instead of filing the evidence required in M.P.E.P. § 711.03 (c) (II).¹ For the foregoing reasons, Applicants respectfully request that this petition be granted and that the original Office Action be re-mailed with the reply period being restarted.

The Commissioner is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1073, under Order No. I9000.0045/P045. A duplicate copy of this paper is enclosed.

Dated: August 5, 2002

Respectfully submitted,

By 

Eric Oliver

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Attorneys for Applicants

¹ Nevertheless, Applicants have available and would be willing to submit such required evidence if deemed necessary.